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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/965,197 11/06/97 EJIMA

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EXAMINER

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ART UNIT

PAPER NUMBER

2173

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks**

## Office Action Summary

Application No. 08 955197	Applicant(s) Ejima et al
Examiner Sax	Group Art Unit 2173

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

Responsive to communication(s) filed on \_\_\_\_\_.

This action is **FINAL**.

Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

Claim(s) 1-67 is/are pending in the application.

Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-67 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

All  Some\*  None of the CERTIFIED copies of the priority documents have been received.

received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  Interview Summary, PTO-413

Notice of Reference(s) Cited, PTO-892  Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

## Office Action Summary

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## **DETAILED ACTION**

1. This application has been examined.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-7, 12-17, 18-24, 29-34, 35-43, 48-51, 52-58, 63-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (5414811) in view of Nishikawa et al (5539426).
4. Regarding claims 1-2, see Parulski et al: the Abstract, Figures 2, 5-8, column 2 lines 40-68, column 3 lines 23-58, column 4 lines 7-24 and 39-54, column 5 lines 14-32, column 7 lines 1-40, columns 11-12. Note the information processing apparatus that stores the plurality of images and designates them based on user selection. The screen is divided into areas according to the number of images and the images are displayed. Parulski et al do not go into the specific details of the image reduction and, but do mention image manipulation and screen manipulation. Furthermore, see Nishikawa et al.: the Abstract, Figures 2, 4, column 2 lines 1-58. See how this

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reduces the images for proper display arrangement. It would have been obvious to a person with ordinary skill in the art to display the images as reduced in the apparatus of Parulski et al, because it would provide a convenient way using display abilities to arrange plural numbers of images in a divided screen display.

5. Regarding claims 3-5, the aspect ratio of the divided areas equals that of the designated images in Nishikawa et al. The dividing means in Nishikawa et al, as well as the ability in Parulski et al, is such that the screen is divided into  $n^2$  areas when the number of designated images is greater than  $(n-1)^2$  and equal to or less than  $n^2$ . This is not specifically stated as having to be the way it is divided everytime, but rules are stated for image alignment for efficient display of images, and as mentioned this can be done. It would have been obvious to a person with ordinary skill in the art to divide the screen this way, because it would provide an efficient way using the system's capability to display the images efficiently.

6. Regarding claims 6-7, a user specified limit may be used to prohibit more than a predetermined number of images from being selected. One of the images may be selected to occupy the whole screen. See again Nishikawa et al Figure 4.

7. Regarding claims 12-13, images selected may be divided into two sets of screen divided displays, not all of which may be displayed at once.

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8. Regarding claims 14-17, the images may be larger. They may be line drawings. The apparatus has a display, and may be an electronic camera or other devices with scanning capabilities.

9. Claims 18-24, 29-34, 35-43, 48-51, 52-58, 63-67 have the same features as above and are rejected for the same reasons.

10. Claims 8-11, 25-28, 44-47, 59-62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski et al (5414811) in view of Nishikawa et al (5539426) and further in view of Bolnick et al (5838317).

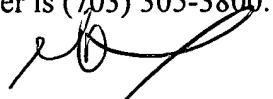
11. Regarding claims 8-11, 25-28, 44-47, and 59-62, in addition to the aforementioned, Parulski et al do mention the possibility of a television display, which would include sound data, but neither Parulski et al nor Nishikawa et al go into specific details of sound data images and symbol representations. But Parulski et al do mention applications such as representing and accessing data. Bolnick et al however do show image symbols which represent computer resources of various types, including video and sound data implicitly. See the Abstract, Figures 1, 22A, column 2, column 3 lines 1-30, column 6 lines 28-68, column 8 lines 32-68, for example.

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Sound or other data may not have an 'image' associated with it, and is represented by a symbol. When selected, the data is reproduced. The images are laid out according to screen dividing rules. It would have been obvious to a person with ordinary skill in the art to include this in the image display system as envisioned from Parulski et al and Nishikawa et al, because it would provide an efficient way to utilize an image displaying system that lays out and divides images efficiently on a screen to represent and access data.

12. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Steve Sax, whose telephone number is (703) 305-9582. The examiner can normally be reached on M - F from 9:30 - 6:00 ET. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at (703) 308-3116.

13. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.



STEVEN SAX  
PRIMARY EXAMINER